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Art Unit 1642

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Re:

U.S. Utility Patent Application

Application No. 09/720,086; § 371 Date: July 23, 2001 For: De Novo DNA Cytosine Methyltransferase Genes, Polypeptides and Uses Thereof

Inventors:

Li et al.

Our Ref:

0609.4560002/KRM/DJN

Sir:

Transmitted herewith for appropriate action are the following documents:

- 1. Statement of Substance of Examiner Interview; and
- 2. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Karen R. Markowicz Agent for Applicants Registration No. 36,351

KRM/DJN:dbj Enclosures

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In re application of: Li et al.

Appl. No. 09/720,086

§ 371 Date: July 23, 2001

For: De Novo DNA Cytosine Methyltransferase Genes,

Polypeptides and Uses Thereof

Confirmation No.: 6968

Art Unit: 1642

Examiner: Harris, A.M.

Atty. Docket: 0609.4560002/KRM/DJN

Statement of Substance of Examiner Interview

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicants wish to thank Examiner Harris for the telephonic interview conducted on May 3, 2005. The Examiner Interview Summary, mailed May 4, 2005, accurately reflects the substance of the interview, however, in accordance with 37 C.F.R. § 1.133(b) and MPEP § 713.04, the following statement of the substance of the interview is provided by Applicants.

Applicants discussed with the Examiner the recent sequencing results of ATCC Deposit Nos. 209933, 209934 and 98809, corresponding to SEQ ID NOS:1-3, respectively. As explained on page 14 of their Amendment and Reply Under 37 C.F.R. § 1.116, filed March 10, 2005, under the heading "*Priority*," the sequencing was done to confirm that the nucleotide sequence amendments made to SEQ ID NOS:1-3 on July 23, 2001 corresponded to the sequences contained within ATCC Deposit Nos. 209933, 209934 and 98809.

Applicants confirmed that the nucleotide amendments to SEQ ID NOS:1-2 corresponded with the sequences contained within ATCC Deposit Nos. 209933 and 209934.

Applicants also noted that the nucleotide amendments to SEQ ID NO:3 corresponded with

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the sequence contained within ATCC Deposit No. 98809, except that the deposited clone

exhibited a deletion of about 50 nucleotides within the coding region of SEQ ID NO:3.

Finally, Applicants noted SEQ ID NO:3 as originally filed in U.S. Appl. Nos. 60/090,906

and 60/093,993, to which priority is claimed, did not harbor the deletion, and that the

deletion was likely the result of cloning error in constructing the clone for deposit at the

ATCC.

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Applicants discussed submitting a Declaration attesting that the amended SEQ ID

NOS:1-2 are supported by ATCC Deposit Nos. 209933 and 209934. In addition, Applicants

discussed submitting a second Declaration attesting that amended SEQ ID NO:3 is supported

by the combination of ATCC Deposit No. 98809 and SEQ ID NO:3 as originally filed in

prior Appl. Nos. 60/090,906 and 60/093,993. The Examiner encouraged the filing of these

two Declarations in order to support Applicants' prior requests for priority benefit of these

two applications.

Applicants respectfully request that the substance of the interview be recorded. If the

Examiner believes, for any reason, that personal communication will expedite prosecution of

this application, the Examiner is invited to telephone the undersigned at the number

provided.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Karen R. Markowicz

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